GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2511
ANSWERED ON:07.08.2001
RATE OF CONVICTIONS
RAMCHANDRA PASWAN

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether in a recent study made by the National Crime Records Bureau has revealed dismal rate of convictions indicting the criminal justice system in the country;

(b) if so, the salient features thereof; (

(c) the causes identified for such a situation; and (

(d) the measures contemplated by the Government in this direction ?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (CH. VIDY ASAGAR RAO)

(a) & (b): The National Crime Records Bureau collects, compiles and publishes an annual report titled `Crime in India` based on the annual crime returns received from State and UTs. This annual report also gives figures of disposal of cases by the criminal courts. A statement containing the State and UT -wise conviction rate for IPC crime for the year 1995 to 1999 is enclosed (Annexure).

(c) & (d): The Government are of the view that huge pendencies in the criminal courts need to be tackled in order to improve the criminal justice administration. For this purpose 1734 fast track courts are proposed to be set up in the next five years. In order to improve the quality of investigation, the Law Commission of India has recommended separation of `investigation` from `law and order` -and other miscellaneous duties. It has recommended that the hierarchy of the officers in such agency should have adequate training and incentives for furthering effective investigations. In order to improve the quality of. prosecution, the Code of Criminal Procedure (Amendment) Bill, 1994 introduced in the Rajya Sabha on 9th May, 1994, inter alia, proposes to insert a new section 25A in the Cr.P .C. to empower the State Government to establish the Directorate of Prosecution. The Directorate of Prosecution shall function under the administrative control of the Home Department in the States.

Witnesses in many cases also turn hostile during course of trial, resulting in acquittal of the accused. To prevent all this, the Law Commission has further recommended insertion of section 164(1)(A) which reads as under:-

`Every Investigation Officer shall send to the nearest Magistrate all material witnesses during the course of investigation and the Magistrate on oath record their statements, if such Magistrate is empowered to take cognizance of the case on police report, he shall keep such statements alongwith the FIR received by him and await the further police report under section 173. If he is not empowered to take such cognizance, he shall send the statement thus recorded on oath to the Magistrate empowered to take cognizance of the case`.

These recommendations are being examined in consultation with the State Governments/UT Administrations and therefore, it is not feasible to indicate a time- frame for a decision in the matter.

CONVICTION PERCENTAGE OF IPC CRIME CASES DURING 1995 TO 1999

SL. NO.	STATE/UT	1995	1996	1997	1998	1999
1	ANDHRA PRADESH	35 .4	33 .6	37 .3	37 .4	35 .Â£,
2	ARUNACHAL PRAD	85.1	52.1	46.6	31.7	45.6;
3	ASSAM	27.6	22.4	22.6	23.9	28.9
4	BIHAR	25.4	28.6	26.2	20.5	19.1
5	GOA	36.3	21.1	23.9	18.9	21.3
6	GUJARAT	40.7	35.9 `	35.0	24.0	33.0
7	HARYANA	46.9	43.7	37.0	29.1	30.0
8	HIMACHAL PRADE	27.0	32.9 ,	29.1	32.1	28.0
9	J & KASHMIR	42.8	39.0`	36.0.	41.7	41.4
10	KARNATAKA	30.1	19.0	15.8	20.8	27.9
11	KERALA	25.2	27.7	32.5	41.1	38.2

12	MADHYA PRADESH	50.4	50.9	47.0	48.3 ,	47.2
13	MAHARASHTRA	32.9	18.8	18.1	16.3	15.7
14	MANIPUR NA	15.4	.NA	11.1	27.3	
15	MEGHALAYA	55.9	63.5	56.5	47.4	43.1
16	MIZORAM	94.4	85.9	93.9	92.9	93.6
17	NAGALAND	6 8 .0	7 7 .4	,: 8 2 .8	64 .8	9 0 .3
18	ORISSA	13.4	14.5	11.8	13.5	15.0
19	PUNJAB	37.7	44.0	37.0	38.1	40.4.
20	RAJASTHAN	52.5	48.9 ,`	50.8	50.5	51.2
21	SIKKIM	74.3	72.7 `	73.1	66.8	62.1
22	TAMIL NADU	68.3	63.6	64.0	64.3	65.4
23	TRIPURA	9.1	18.3	10.1	4.0	23.2
24	UTTAR PRADESH	49.5	50.7	51.4	52.2	50.4
25	WEST BENGAL	20.3	15.2	21.9	16.8	16.3
	TOTAL (STATES)	41.9	37.8	38.1	37.3	39.9
26	A&N ISLANDS	56.0	26.3	.64.7	67.1	28.8
27	CHANDIGARH	49.0	53.2	61.1	59.9	57.6
28	D&N HAVELI	14.9	25.7	27.3	28.7	30.2
29	DAMAN & DIU	30.8	14.3	19.8	25.2	25.9
30	DELHI	47.5	32.5	38.0	137.4	32.4
31	LAKSHADWEEP	50.0	50.0,	33.3	38.5	14.3
32	PONDICHERRY	78.6	90.4	92.6	68.9	86.0
	TOTAL (UTs)	48.2	39.6,	.46.2	39.4	35.3
	TOTAL (ALL-INDIA)	42.1	37.8	38.2	37.4	39.6

SOURCE : CRIME IN INDIA
NOTE : NA STANDS FOR DATA NOT AVAILABLE